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9 Counsel for RANDY HUMPHREY

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 THE UNITED STATES OF AMERICA,)

13 Plaintiff,)

14 vs.)

15 BOBBY THOMPSON and)
16 RANDY HUMPHREY,)

17 Defendants.)
18)
19)
20)
21)
22)
23)
24)
25)
26)
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CASE NO: 2:17-mj-00947-PAL

**STIPULATION TO CONTINUE
PRELIMINARY HEARING
(THIRD REQUEST)**

29 IT IS HEREBY STIPULATED AND AGREED, by and between DAYLE ELIESON,
30 United States Attorney for the District of Nevada, and CHRISTINA SILVA, Assistant United
31 States Attorney, counsel for United States of America, and Nicholas Woolridge, Esq., counsel
32 for Defendant, BOBBY THOMPSON, and Matthew Lay, Esq., counsel for Defendant, RANDY
33 HUMPHREY, that the preliminary hearing date in the above-captioned matter, currently
34 scheduled for February 16, 2018, at 4:00 p.m., be vacated and continued for thirty (30) days, at a
35 date and time convenient to this Court.

1 This Stipulation is entered into for the following reasons:

- 2 1. The parties have initiated discussions regarding resolving the case pre-indictment, and
3 negotiations have been ongoing. Additional time is needed for defense counsel to review
4 discovery, including the defendants' statements, and for counsel to discuss the discovery
5 with their clients. Additionally, the parties requested certain items of discovery from law
6 enforcement, and were awaiting the production of that discovery. Law enforcement
7 recently determined that the requested discovery does not exist.
8
- 9 2. The Defendants also need additional time to discuss a potential pre-indictment resolution
10 with their clients.
11
- 12 3. All parties agree to the continuance.
- 13 4. The Defendants are currently detained pending trial but do not object to a continuance.
- 14 5. Denial of this request for continuance could result in a miscarriage of justice.
- 15 6. The additional time requested herein is not sought for the purposes of delay, but to allow
16 for a potential pre-indictment resolution of the case.
17
- 18 7. The additional time requested by this stipulation is allowed, with the Defendants'
19 consent, under Federal Rule of Procedure 5.1(d).
- 20 8. This is the third (3rd) request for a continuation of the preliminary hearing for all
21 Defendants.
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1 DATED this 14th day of February, 2018.

2 Respectfully submitted,

3 **For the Defendants:**

4 //s//

5 NICHOLAS WOOLRIDGE, ESQ.
6 Counsel for Bobby Thompson

7 //s//

8 MATTHEW LAY, ESQ.
9 Counsel for Randy Humphrey

For the United States:

//s//

CRISTINA D. SILVA
Counsel for United States

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THE UNITED STATES OF AMERICA,

Plaintiff,

vs.

BOBBY THOMPSON and
RANDY HUMPHREY,

Defendants.

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CASE NO: 2:17-mj-00947-PAL

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
ORDER**

FINDINGS OF FACT

1. The parties have initiated discussions regarding resolving the case pre-indictment, and negotiations have been ongoing. Additional time is needed for defense counsel to review discovery, including the defendants' statements, and for counsel to discuss the discovery with their clients. Additionally, the parties requested certain items of discovery from law enforcement, and were awaiting the production of that discovery. Law enforcement recently determined that the requested discovery does not exist.
2. The Defendants also need additional time to discuss a potential pre-indictment resolution with their clients.
3. All parties agree to the continuance.
4. The Defendants are currently detained pending trial but do not object to a continuance.
5. Denial of this request for continuance could result in a miscarriage of justice.
6. The additional time requested herein is not sought for the purposes of delay, but to allow for a potential pre-indictment resolution of the case.
7. The additional time requested by this stipulation is allowed, with the Defendants' consent, under Federal Rule of Procedure 5.1(d).

1 8. This is the third request for a continuance of the preliminary hearing for all Defendants.

2 **CONCLUSIONS OF LAW**

3 The ends of justice served by granting said continuance outweigh the best interest of the
4 public and the defendants, since the failure to grant said continuance would be likely to result in
5 the miscarriage of justice, would deny the parties herein to potentially resolve the case prior to
6 indictment, and further would deny the parties sufficient time and the opportunity within which
7 to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account
8 the exercise of due diligence.
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10 The continuance sought herein is allowed, with the defendants' consent, pursuant to
11 Federal Rules of Procedure 5.1(d).
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13 **ORDER**

14 Based upon the pending Stipulation of the parties, and good cause appearing therefore,

15 IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for
16 February 16, 2018, at 04:00 p.m. be vacated and continued to March 19, 2018
17 at 4:00 p.m.
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19 IT IS SO ORDERED this 23rd day of February, 2018.
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21 
22 THE HONORABLE PEGGY A. LEEN
23 UNITED STATES MAGISTRATE JUDGE
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